

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

FROM: CJER Governing Committee
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DATE: September 14, 2005

SUBJECT: Judicial Branch Education: Enhancements to Minimum Education
Requirements for the Judicial Branch—Approve Concept and Direct
Next Steps (Action Required)

Issue Statement

The protection of the rights of free citizens depends on an independent and professionally competent judicial system. In addition, the public expects and should receive the highest quality of justice and service from the courts, regardless of court location, specific personnel or specific judge. The California judicial branch has been a leader in establishing a strong judicial branch education program, initially offering courses for judges in 1959 and for court personnel in 1989. In a modern society and with a constantly changing body of law, maintaining and improving the professional competency of judges and court personnel requires that the judicial branch take an evolutionary step in its leadership role by establishing and administering a system of continuing education that includes minimum education requirements.

Based on data provided by the National Center for State Courts, Court Statistics Project, September 2005, 42 states have required continuing education for general jurisdiction judges. The scope of requirements ranges from 10 hours per year in Florida up to 64 hours per year in Vermont. Four states (California, Illinois, Michigan, and Pennsylvania) are reflected in the data as having initial pre-bench requirements but no required continuing education.

Requirements in California include New Judge Orientation and the B.E. Witkin Judicial College for new judges (pursuant to CRC 970), the family law overview course for judicial officers new to hearing family law cases (pursuant to CRC 5.30), the dependency overview course for commissioners and referees new to

hearing dependency cases (pursuant to W&I 304.7). There are also several Rules of Court (CRC 5.35; CRC 5.225; CRC 5.230, CRC 1405) that mandate training and education for child support commissioners, family law facilitators, child support court clerks, child custody mediators and evaluators, and juvenile dependency mediators.

In order to take the next evolutionary step for judicial branch education, the CJER Governing Committee has for the past two years been considering whether to make a recommendation to the Judicial Council to enhance minimum education requirements. The first year included research regarding minimum education requirements in other state judicial systems, exploration of possible models for minimum education requirements that might meet the needs of the California judicial system, and a review of participation in continuing education. The second year included an information-gathering process with several initiatives involving presiding judges, judges, court executive officers, managers, supervisors, and court personnel.

Working with staff, in 2004 the CJER Governing Committee developed an example of minimum education requirements for the judicial branch. Governing Committee representatives presented the example through a variety of means to numerous groups and solicited feedback.

Representatives of the Governing Committee met twice with members of the Judicial Council in Issues Meetings, April 22, 2004, and February 17, 2005. The initial meeting resulted in Council members directing the Governing Committee to do further research. The second meeting resulted in the Council members encouraging staff and the Governing Committee to continue gathering feedback, refining the example, and developing a proposal.

In April 2005, the chair of the Governing Committee presented the example to presiding judges and court executive officers in all three AOC regions and asked for written responses. In May, the chair of the Governing Committee asked members of the Executive Board of the California Judges Association to provide collective feedback.

In May, the minimum education example was submitted for comment to all judges, and through executive officers to select managers, supervisors, and court personnel.

Recommendation

The Governing Committee of the Center for Judicial Education and Research recommends that the Judicial Council approve the model for minimum education requirements for judges and court personnel outlined below, and summarized in Attachment A and detailed as a model in Attachment B. The CJER Governing

Committee also recommends that the Council provide direction on the next steps for implementation of that model, such as engaging in the rule drafting process. Implementation of this model will establish uniform statewide standards for judicial branch minimum education.

The minimum education requirement model includes many providers, allows the local court to approve other providers, and indicates that tracking of compliance is the responsibility of the individual and local court. Below is a synopsis of the model. Content bolded and underlined is already required through rule or statute.

Position	New	Continuing Hours	Content	Cycle
Judges, Commissioners, Referees	<u>New Judge Orientation;</u> <u>Judicial College;</u> Overview Course in Primary Assignment	30 hours	Overview Course When Changing Primary Assignment <ul style="list-style-type: none"> • Civil • Criminal • <u>Family</u> • Juvenile <ul style="list-style-type: none"> • <u>Dependency</u> • Delinquency • Probate 	3 Year Cycle Individualized for the specific judge, commissioner, or referee
Supervising Judges	Calendar Management and/or Supervising Judge Overview Course	<i>Including the Calendar Management and/or Supervising Judge Overview Courses</i>		
Presiding Judges	Presiding Judge and Court Executive Officer Orientation	<i>Including the Presiding Judge and Court Executive Officer Orientation</i>	<u>Sexual Harassment</u> <i>Hours earned may be applied toward the 30 hour requirement</i>	
Court Executive Officers	Presiding Judges, Court Executive Officers Orientation	30 Hours	<i>Recommended: Orientation with NEW Presiding Judges as appropriate</i> <i>Hours earned may be applied toward the 30 hour requirement</i>	3 Years Individualized for the specific CEO
Managers and Supervisors	Orientation to the Court, Branch, and Management Issues	12 Hours		2 Years Defined Dates
Staff	Orientation to the Court, Branch, Job, and Employment Issues	8 Hours	<u>Required Education for selected staff in Family and Juvenile Courts</u> <i>Hours earned may be applied toward the 8 hour requirement</i>	2 Years Defined Dates

Rationale for Recommendation

After researching continuing education in other states in 2004 on behalf of the Governing Committee, CJER staff conducted a branchwide survey to determine current participation in continuing education programs. Based on 324 respondents, judges reported participating in an average of 26 hours of continuing education each year. Based on 1,167 respondents, court personnel reported participating in an average of 8 hours of continuing education each year. [The survey results concerning the average number of hours of continuing education may have been affected by the state fiscal crisis that spanned the time in/for which the information was gathered.]

The Governing Committee analyzed this information along with existing continuing education requirements in California and in other states, and the existing Standard of Judicial Administration in California (for judges, 8 days of education and 5 days serving as faculty are recommended per year). The Governing Committee determined that establishing “minimum” requirements would be the most effective model for the California judicial branch. Such a model would assure that all judges and court personnel continue their education but: a) would not replace the standard that recommends a greater degree of participation for judges; and b) would have less of a fiscal impact on the courts than implementing a more comprehensive requirement.

Alternative Actions Considered

One alternative considered is to leave educational requirements as they currently exist. The many ramifications that can be projected from this alternative include: educational requirements imposed by the legislature (such as the recent AB 1825 sexual harassment training); no continuing professional education for many judges and court personnel; and, uneven service to court users based at least in part on uneven knowledge, skills, and abilities of judges and court staff.

Another alternative considered is to recommend a more comprehensive model for minimum education requirements. The ramifications that can be projected from this alternative include: less discretion at the individual and local court level regarding decisions about professional education; greater fiscal burden on the courts; more time away from their duties for judges and court personnel; and, possible increased resistance to minimum education requirements.

Comments From Interested Parties

In April, 2005 the chair of the Governing Committee presented the example to presiding judges and court executive officers in all three AOC regions and asked for written responses. Thirteen written responses were received. Feedback at that time was: 10 respondents were supportive of the example and three raised concerns or were opposed. In June, representatives of the Governing Committee presented the example to a joint meeting of the Trial Court Presiding Judges

Advisory Committee and the Court Executives Advisory Committee. The minutes of the joint advisory committees' meeting reads:

In a voice vote, the joint committees agreed to support the minimum education requirements with a couple of votes in opposition.

In May, 2005 the chair of the Governing Committee asked members of the Executive Board of the California Judges Association to provide collective feedback. The Board submitted the following statement:

CJA is strongly in favor of enhanced voluntary educational opportunities for judicial officers, and additionally, CJA requests that adequate resources be made available to permit officers to utilize these opportunities.

In May, 2005 the minimum education example was submitted to all judges, and through executive officers to select managers, supervisors, and court personnel. [This branchwide survey provided a second opportunity for presiding judges, court executive officers, and members of the CJA Executive Board to offer individual feedback.] The information below is a summary of the feedback received from that process. Respondents in the "not categorized" column answered questions in such a way that it was difficult to determine if they were supportive of or opposed to the example as a whole.

Group	Respondents	Supportive	Not Categorized	Opposed
Judicial Officers	160	75%	6%	19%
Executive Officers	10	100%		
Managers/Supervisors	195	97%		3%
Court Personnel	456	97%	.6%	2.4%

Attachment C provides a compilation/synopsis of questions/suggestions gathered from judges and court personnel in survey feedback and Governing Committee answers/responses.

Implementation Requirements and Costs

Costs associated with minimum education requirements are addressed in two ways: the cost at the state level and the cost at the local court level. In each, costs are estimated in two ways: the cost for judicial education and the cost for court personnel education.

At the state level, the cost for delivering enough content to meet the minimum education model for judges will be minimal. Education Division/CJER staff analyzed the amount of education delivered and attended by judges in 2003 and determined that attendance equaled enough contact hours for every judge in

California to earn 15 hours annually. The model calls for 30 hours in three years, which equates to 10 hours per year. The content of education offered at the state level will change, but the amount of education delivered need not. In addition, two other factors bear consideration. First, an ever-increasing amount of educational content is being delivered through broadcast and online courses, increased direct costs for which are minimal. Second, the Education Division/CJER is only one provider; other providers include associations (such as the California Judges Association), local courts, and others. The Education Division/CJER will share its curriculum work with local courts and associations and will offer train-the-trainer packages for many areas of content.

At the state level, the cost for delivering enough content to meet the minimum education model for court managers, supervisors, and court personnel will increase. The current estimated increase in expense ranges from \$50,000 to \$100,000, depending on several variables. Two other factors bear consideration. First, an ever-increasing amount of educational content is being delivered through broadcast and online courses, increased direct costs for which are minimal. Second, the Education Division/CJER is only one provider. Other providers include associations, local courts, and others. The Education Division/CJER will share its curriculum work with local courts and associations and will offer train-the-trainer packages for many areas of content to increase sources of continuing education for court personnel.

At the local level, costs for supporting judges to participate in education to meet minimum education requirements will vary. For Education Division/CJER courses, state funds currently cover lodging and group meals; there is no registration expense. Travel and non-group meal costs are currently the responsibility of the local court or individual judge. Although local courts currently support enough attendance by judges at CJER programs to total 15 hours for every judge in the branch, we know that many judges attend more and some attend nothing. So, it is assumed that these costs will be redistributed among the courts if all judges are required to earn minimum education requirements. At the local court level, the cost of providing education or partially reimbursing expenses for attendance by judges will increase for some courts. Since there are many ways to meet the minimum education requirements, there is not one formula for projecting costs to a local court. Using a few of the examples from the model, possible expenses for a single judge might be:

Minimum Education Requirement for Judges: 30 hours in three-year cycle

Example:

- Three-day CJER Continuing Judicial Studies Program (18 hours)
- Day-long local court training (6 hours)
- Qualifying Ethics (6 hours)

Cost to the local court:

CJSP: travel (\$300), per diem (3 x \$40), ground transportation (\$50) = \$ 470

Local: (if taught by local court judge or other no-cost faculty) none

Ethics: travel (\$300), per diem (\$40), ground transportation (\$50) = \$390

Total: \$860 over a three-year period or approximately \$287 per year

Example:

- One CJER Institute (14 hours)
- Qualifying Ethics (6 hours)
- Courses at CJA Mid-Year Conference (10 hours)

Cost to the local court:

Institute: travel (\$300), per diem (\$40), ground transportation (\$50) = \$390

Ethics: travel (\$300), per diem (\$40), ground transportation (\$50) = \$390

CJA: travel (\$300), lodging (\$350), per diem (\$40), ground transportation (\$50),
registration (\$350) = \$1090 (*some judges may pay portions of this personally*)

Total: \$1870 over a three-year period or approximately \$624 per year

So, the annual cost for the local court for a judge who stays in-state for continuing education could range between \$287 and \$624. There would be the additional cost-of-time for a judge to participate in continuing education, although many judges currently earn much more than the minimum education requirements.

At the local level, costs for supporting court personnel to participate in education to meet minimum education requirements will vary. For Education Division/CJER courses, state funds currently cover lodging and group meals; there is no registration expense. Travel and non-group meal costs are currently the responsibility of the local court or individual employee. At the local court level, the cost of providing education or partially reimbursing expenses for attendance by court personnel will increase. Based on 1,167 respondents to a recent survey, court personnel reported participating in an average of 8 hours of continuing education each year. Although for court personnel, the minimum education requirement is 8 hours over two years (12 hours over two years for managers and supervisors), unlike judicial education (in which case the Education Division/CJER offers more than enough content), the division does not currently offer enough content for court personnel to obtain that amount of education. Although the Education Division/CJER is not the only source of education, it is unlikely that local courts are fiscally prepared to support court personnel fully participating in continuing education. Although the Education Division/CJER plans to increase broadcast and online courses, the volume of court personnel, their workload, and the shortage of training funds at the local level will be obstacles. As with judges, there are many ways in which court personnel can

achieve minimum education requirements. Using a few of the examples from the model, possible expenses for a single court employee might be:

Minimum Education Requirement for Court Personnel: 8 hours in two-year cycle

Example:

- Day-long regional course by California Courts Association (6 hours)
- Two-hour CJER broadcast

Cost to the local court:

CCA: travel (\$200 – participants generally drive), per diem (\$20), lodging (\$110 maximum), ground transportation (\$50), registration, including lunch (\$52 non-member) = \$432

Broadcast: none

Total: \$532 in a two-year period or \$216 per year

Example:

- CJER regional course (5 hours)
- Half-day local court course (3 hours)

Cost to the local court:

Regional: travel (\$300), per diem (\$40), ground transportation (\$50) = \$390

Local: (if taught by local court staff or other no-cost faculty) none

Total: \$390 in a two-year period or \$195 per year

Example:

- Two CJER broadcasts (4 hours)
- Two local court courses (4 hours)

Cost to the local court:

Broadcast: none

Local: (if taught by local court staff or other no-cost faculty) none

Total: none

So, the annual cost for a local court for an employee who stays in-state for continuing education could range from nothing to \$216. There would be the additional cost-of-time for an employee to participate in continuing education, although many court personnel currently earn more than the minimum education requirements.

GJA/FHW/KMT/bjw

Summary of Minimum Education Requirements

Minimum Education Requirements for Judges, Commissioners, Referees

A. New Judges (content-based)

- New Judge Orientation
- Judicial College
- Primary Assignment Overview

Provider: CJER

B. Experienced Judges Rotating Assignment (content-based)

- Overview Course in New Assignment (if out of that assignment 2 years or more)

Provider: Local court or CJER

C. New Supervising Judges (content-based)

- Orientation to Administrative Role

Provider: CJER

- Orientation to Calendar Management

Provider: Local Court or CJER

D. New Presiding Judges (content-based)

- Orientation for New Presiding Judges and Court Executive Officers

Provider: CJER

E. Experienced Judges (30 hours in a three-year cycle)

[Including any hours earned in orientation to new assignment, supervising judge orientation, and presiding judge orientation]

Provider: Multiple providers

Summary of Minimum Education Requirements

Minimum Education Requirements for Court Executive Officers

F. New Court Executive Officers (content-based)

- Orientation for New Presiding Judges and Court Executive Officers

Provider: CJER

G. Experienced Court Executive Officers (30 hours in a three-year cycle)

Provider: Multiple providers

Minimum Education Requirements for Court Managers and Supervisors

H. New Court Managers and Supervisors (content-based)

- Orientation to the Judicial Branch (if new to the judicial branch)

Provider: Local Court or CJER

- Orientation to the Local Court (if new to the court)

Provider: Local Court

- Orientation to Management/Supervision (if new to management/supervision)

Provider: Local Court or CJER or other provider

I. Experienced Managers and Supervisors (12 hours in a two-year cycle)

Provider: Multiple providers

Minimum Education Requirements for Court Personnel

J. New Court Personnel (content-based)

- Orientation to the Judicial Branch

Provider: Local Court or CJER

- Orientation to Basic Employee Issues (Sexual Harassment, Safety, etc.)

Provider: Local Court or CJER

- Orientation to the Local Court and the Specific Job

Provider: Local Court

K. Experienced Court Personnel (8 hours in a two-year cycle)

Provider: Multiple providers

***Minimum Education Requirements in the California Judicial Branch
Recommended Model***

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EXECUTIVE SUMMARY

Current Minimum Education Requirements

Based on data from the Judicial Education Reference and Information Technical Transfer Project at Michigan State University and a report by the Bureau of Justice Statistics working with the National Center for State Courts, between 35 and 43 states have some form of education requirements, including California. The scope of requirements ranges from specific content for certain groups of judges and court personnel to continuing education totaling as much as, in one state, 64 hours per year.

Requirements in California include New Judge Orientation and the B.E. Witkin Judicial College for new judges, the family law overview course for judicial officers hearing family law cases, the dependency overview course for commissioners and referees hearing dependency cases, and certain content for court personnel working with juvenile and family law cases.

Enhanced Minimum Education Requirements

The recommendation for enhanced minimum education requirements includes adding to existing requirements an assignment-based overview course for judges new to an assignment, orientation for court personnel, and an hourly requirement for both experienced judges and court personnel. The recommendation outlines multiyear cycles in which minimum education can be attained through a variety of sources.

The Standards of Judicial Administration suggest that judges participate in eight days of education annually, which is computed as 48 hours of education each year. The recommended model for minimum education requirements calls for 30 hours of continuing education for judges in a three-year cycle, much less than the Standards recommend and much less than is attained by many judges in current practice. Requirements for court personnel are even less.

Examples of Attaining the Enhanced Minimum Education Requirements

The recommended minimum education requirement for experienced judges is 30 hours of continuing education in a three-year cycle.

Judge Assigned to a Civil Calendar in a Large Court:

Superior Court in Los Angeles offers an annual day-long civil law education day; in a three year cycle, the judge would earn 18 hours of education. If, in addition, the judge participates in six-hours of qualifying ethics during the three year cycle, he/she has accumulated a total of 24 hours. One additional day-long course (six hours of education) in the three-year cycle, either at the court, through the California Judges Association or another provider, would increase the accumulated hours to 30, meeting the minimum education requirements.

Judge Changing Assignment to Family Law in a Mid-Sized Court:

A judge from Superior Court in San Joaquin County changing assignment from criminal law to family law who participates in one CJSP Family Law Overview Course would accumulate 30 hours of continuing education, meeting the minimum education requirement for his/her three-year cycle.

Judge Hearing a Variety of Case Types in a Small Court:

CJER offers the two-day Rural Court Institute annually; in a three-year cycle, a judge from Superior Court in Amador County who attends the Institute once would earn 12 hours of continuing education. If, in addition, the judge participates in six-hours of qualifying ethics during the three year cycle, he/she would have accumulated a total of 18 hours. If the judge teaches a new four-hour course at the local level (at three hours of credit for each hour of the course, that would be 12 hours), the accumulated education hours would increase to 30, meeting the minimum education requirements.

CONSIDERATIONS

Why Consider Changes to Minimum Education Requirements?

- The public expects and should receive the highest quality of justice and service from the courts, regardless of court location, specific personnel, or specific judge; both are improved by continued professional development, including education regarding access, fairness, and ethics.
- As a branch of government that utilizes state funds, we are obligated to maintain a high level of expertise for all judges and court personnel as part of our service to the public; both experience and continuing education contribute to that high level of expertise.
- The ability of the judicial branch to operate independently depends in part on effective delivery and administration of justice, which can both be enhanced through a high-quality system of education.
- Continued improvement of the courts rests in part on identifying and sharing effective practices as well as continually working toward meeting the needs of a changing society; both are addressed in ongoing education of judges and court personnel.
- The pace of change in case and codified law, the diversity and complexity of cases, and routine changes in assignment, require ongoing education for effective delivery and administration of justice.

What Kinds of Changes Are Recommended?

- Educational requirements for judges or court personnel entering a new area of practice are based on specific content necessary to perform their work effectively.
- Minimum education requirements for judges and court personnel who are experienced in their work are based on individual and organizational needs, allowing as much local discretion as possible.

If Implemented, How Could Changes Be Made Efficiently?

- Judges and court personnel could:
 - Utilize a variety of sources to access educational content.
 - Apply faculty service toward educational requirements.
 - Participate in both traditional, face-to-face programs and in courses delivered through educational technology.
 - Acquire education over a multiyear cycle rather than annually.
- The AOC could increase access to assigned judges, improve distance education technology, and increase distance education content.

RECOMMENDATION

GENERAL CONCEPTS

Consolidation and Enhancements in a Rule of Court:

Minimum educational requirements for the judicial branch of California will be consolidated and expanded/enhanced. Consolidated minimum education requirements will include incorporating all existing requirements into one rule of court with appropriate citation to the initiating statute or rule. Expanded minimum education requirements will be documented in the rule of court for trial court presiding judges, supervising judges, judges, commissioners and referees, court executive officers, managers and supervisors, and court personnel. Minimum education requirements will be based upon factors relevant to career experience, assignment, and risk.

Minimum Education Requirements and Cycles:

Judges

Judges, including presiding judges and supervising judges, as well as commissioners and referees, will participate in an **individualized cycle** of education outlined in the following document. The individualized cycle, initiated January 1 the year following his/her completion of minimum education requirements for new judges, commissioners, and referees, will continue throughout the judge's career. The requirements for new judges, commissioners, and referees will consist of orientation (within six months of assuming the role), the judicial college (within two years of assuming the role), and, after consultation with their presiding judge, a CJER overview course in their primary assignment. Subsequent types of minimum education requirements (*e.g.*, when changing primary assignment and/or for serving as supervising judge or a presiding judge) will be incorporated into the existing individualized cycle.

Court Executive Officers

Court executive officers will participate in an **individualized cycle** of education outlined in the following document. The individualized cycle, initiated January 1 the year following his/her completion of minimum education requirements for new CEOs, will continue throughout the CEO's career. The requirement for new CEOs will be the Presiding Judges and Court Executive Officers Orientation.

Court Personnel

Court personnel, including research attorneys, managers/supervisors, and others will participate in a **defined cycle** of continuing education. The defined cycle will be identified as spanning from a certain year through a certain year and will be the same for all court personnel (*e.g.*, January 1, 2007—December 31, 2008). The education requirement for new court personnel for the first year will be orientation that includes courses designed for the specific position category. Once the initial minimum education requirements are met, all court personnel will enter the continuing education cycle, completing requirements on a prorated basis depending on the time remaining in the currently defined cycle. Local courts will determine what continuing education content is appropriate for individuals.

EDUCATION PROVIDERS AND CRITERIA

Education Providers:

Flexibility in accessing continuing education providers is important, as individuals need to balance the time devoted to their assignment with time spent in continuing education.

Many continuing education providers are considered approved providers, such as:

- The Judicial Council of California, Education Division/CJER, CFCC
- The California Judges Association
- The National Association of Women Judges
- The American Judges Association
- The National Judicial College
- The National Council for Juvenile and Family Court Judges
- The American Bar Association, Judicial Division
- The California State Bar
- The California Court Association
- The National Association for Court Management
- The National Center for State Courts (Institute for Court Management)
- Local courts
- The American Bar Association
- Institutions of higher education (*e.g.*, NYU Appellate Program)
- Local Bar Associations

This list is illustrative. Local courts may determine courses offered by other providers qualify for credit toward meeting minimum education requirements based on the Education Criteria provided in this document

Education Criteria:

Local courts are asked to consider the following criteria in determining whether to apply credit for a course toward meeting the judicial branch minimum education requirement.

Required:

- (1) Subject matter/topic is relevant to the work of the courts or the branch
- (2) Education is at least one hour in length
- (3) Anticipated learning outcomes (how new knowledge, skills or abilities will be applied/demonstrated/used) are identified prior to the educational work

And meets at least three of the following:

- (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter)
- (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts)
- (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience
- (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding
- (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work

MINIMUM EDUCATION REQUIREMENTS

Trial Court Judges, Commissioners, and Referees:

[Before becoming a judge, some individuals may have served as a commissioner or referee and will have an individualized three-year cycle of continuing education established after completing the minimum education requirements for new commissioners and referees. In such a situation, upon becoming a judge, the cycle will continue and will include the required courses for changing primary assignment if applicable.]

Minimum education requirements for *new judges* (who have not previously participated in new judge education as a commissioner or referee) and *new commissioners and referees* will be: (a) orientation within six (6) months of taking the bench; (b) the B. E. Witkin Judicial College within the first two (2) years of taking the bench, **and** (c) after consultation with their presiding judge, a CJSP Overview Course in their primary assignment (civil, criminal, family, dependency, delinquency, or probate) within the first year of taking the bench. The trial court presiding judge may determine additional requirements are appropriate.

The **source for identifying content and for developing and delivering courses** and for **tracking participation/attendance** for *new judges, commissioners, and referees* will be the responsibility of the Judicial Council through the Education Division/CJER and the New Judge Education Committee, in partnership with the education committees in the primary substantive areas of the law.

Noncompliance information will be provided to the local trial court presiding judge.

Once the initial requirements are complete (orientation, judicial college, overview course), January 1 of the following year will initiate the individualized three-year cycle of continuing education for the judge.

Minimum continuing education for *experienced judges, commissioners, and referees who are not changing assignment* will be based on time: 30 hours of continuing education in a three-year cycle.

The **source for identifying content and for developing and delivering courses** that qualify for continuing education credit will be through local, state, or national providers that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Minimum continuing education for *experienced judges, commissioners and referees who are changing their primary assignment* will be based on time: 30 hours in a three-year cycle and will include an *assignment-based content course* (civil, criminal, family, dependency, delinquency, or probate) offered either through CJER, the local court, or CJA. Judges, commissioners, or referees who are returning to an assignment they

previously held will also be required to complete an assignment-based course if they have been out of that assignment two years or longer. Those who have been out of the previous assignment less than two years will not be required to complete an assignment-based course.

The **source for identifying content** for the assignment-based courses will be the responsibility of the Judicial Council through the Education Division/CJER and the education committees for the primary substantive areas of the law (civil, criminal, family, juvenile, and probate), whose curriculum work will be shared with local courts and the CJA. CJER, the local courts, or the CJA may **design and deliver** assignment-based **courses**, based on the curriculum work, that satisfy the requirement. The course design, length, faculty, and additional content is at the discretion of the provider.

All experienced trial court judges, commissioners, and referees may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework and self-directed study are limited to a combined total of seven hours of credit in any three-year cycle.

Experienced judges, commissioners, and referees may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than 15 hours (half of the requirement in a three-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the individual judge, commissioner, or referee, who will keep records of participation/attendance for a period of three years past the date of the course and will sign a statement of compliance at the request of the presiding judge.

**Options/Examples for Completing Minimum Education Requirements
Judges, Commissioners, and Referees**

Position	Hours/Courses Required	Course Suggestions
New judge, commissioner, referee	NJO (within the first 6 months of taking the bench) B. E. Witkin Judicial College (within the first two years of taking the bench) <i>Provider: Judicial Council</i>	<i>These two programs also satisfy the Qualifying Ethics requirement for a new judge.</i>
The CJER Overview course in their primary assignment	Assignment-based Overview course (within the first year of taking the bench) <i>Provider: Judicial Council</i>	
Experienced judge, commissioner, and referee NOT changing primary assignment	30 hours in an individualized three-year cycle <i>Provider: Multiple Sources</i>	<p><i>Some Annual Course Options</i></p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ Annual Institutes ○ CJSP courses ○ Today's Law Broadcasts ○ Great Minds Broadcasts ○ Statewide Judicial Branch Conference (biannual) ○ Online courses ○ Qualifying Ethics • CJA midyear and annual meetings • National Judicial College • Local Court programs • Other AOC Division Programs (<i>e.g.</i>, CFCC—Beyond the Bench) • National Association of Women Judges Conference courses • American Judges Association Conference courses

Position	Hours/Courses Required	Course Suggestions
		<p>Examples:</p> <p>Based on 30 hours/three-year cycle</p> <p>Example 1 (total of 30 hours)</p> <ul style="list-style-type: none"> • One CJER Institute (14 hours) • Qualifying Ethics (6 hours) • Courses at CJA Annual and Midyear Conference (10 hours) <p>Example 2 (total of 30 hours)</p> <ul style="list-style-type: none"> • Three-day CJER Continuing Judicial Studies Program (18 hours) • Daylong local court training (6 hours) • Qualifying Ethics (6 hours) <p>Example 3 (total of 30 hours)</p> <ul style="list-style-type: none"> • CFCC Beyond the Bench Conference (14 hours) • Half-day broadcast (3 hours) • Qualifying Ethics (6 hours) • Online course in specialty area (3 hours) • Self-directed study (4 hours) <p>Example 4 (total of 30.5 hours)</p> <ul style="list-style-type: none"> • CJER Institute (14 hours) • Qualifying Ethics (6 hours) • First-time faculty for a 3.5 hour course at a CJA Annual Meeting (10.5 hours) <p>Example 5 (total of 30 hours)</p> <ul style="list-style-type: none"> • NAWJ annual conference (14 hours) • Qualifying Ethics (6 hours) • Returning faculty for an all-day course at CJSP (10 hours) <p>Example 6 (total of 30 hours)</p> <ul style="list-style-type: none"> • Courses at CJA Annual and Midyear conferences (24 hours) • Qualifying Ethics (6 hours)

Position	Hours/Courses Required	Course Suggestions
		<p>Example 7 (total of 30 hours)</p> <ul style="list-style-type: none"> • Advanced two-and-one-half-day CJSP course in a subject area (14 hours) • Qualifying Ethics (6 hours) • Faculty for a five-hour local court program (10 hours) <p>Example 8 (total of 30 hours)</p> <ul style="list-style-type: none"> • One-hour broadcast every quarter (12 hours) • Qualifying Ethics (6 hours) • Local court's four-hour legal update seminar every year (12 hours) <p>Example 9 (total 32 hours)</p> <ul style="list-style-type: none"> • Rural Court Institute (14 hours) • Qualifying Ethics (6 hours) • One-hour broadcast every quarter (12 hours)
<p>Experienced judge, commissioner, and referee CHANGING primary assignment</p>	<p>30 hours in an individualized three-year cycle</p> <p><i>Provider: Multiple Sources</i></p> <p>Including an assignment-based course in the new assignment</p> <p><i>Provider: Judicial Council, local court, or CJA (based on CJER curriculum work)</i></p>	<p>Example 1 (total of 36 hours)</p> <ul style="list-style-type: none"> • CJER's overview course (30 hours) • Qualifying Ethics (6 hours) <p>Example 2 (total of 30 hours)</p> <ul style="list-style-type: none"> • An overview course through a local court (e.g., 10 hours) • Qualifying Ethics (6 hours) • AJA annual conference (14 hours)

MINIMUM EDUCATION REQUIREMENTS

Trial Court Supervising Judges:

Before becoming a supervising judge, trial court judges will have an individualized three-year cycle of continuing education established after completing the minimum education requirements for new judges. Upon becoming a supervising judge, the cycle will continue and will include the required courses for assuming the role of a supervising judge.

Supervising judges may have responsibility for calendar assignment and/or calendar management in a substantive area of the law and/or they may have administrative responsibilities (facility management, human resources management, etc.).

The education **requirement** for *new supervising judges* who have **responsibility for calendar management** in a substantive area of the law will be completion of a calendar management overview course, preferably before assuming the supervising judge role.

The **source for identifying content and for developing and delivering** calendar management overview **courses** and for **tracking participation/attendance** for *new* supervising judges with calendar assignment duties will be the responsibility of the local court. (The Judicial Council, through the Education Division/CJER and the Presiding Judges and Court Executive Officers Education Committee, will also offer an overview course in calendar management should the local court prefer to utilize that resource.)

The education **requirement** for *new supervising judges* who have **administrative responsibility** will be completion of the Supervising Judges Overview Course, preferably before assuming the supervising judge role.

The **source for identifying content and for developing and delivering** the Supervising Judges Overview **Course** and for **tracking participation/attendance** for *new* supervising judges with administrative duties will be the responsibility of the Judicial Council through the Education Division/CJER and the Presiding Judges and Court Executive Officers Education Committee.

Some new supervising judges may need both the calendar management overview and the Supervising Judges Overview Course.

The overview courses (calendar management and the Overview Course) will be applied toward the 30 hours continuing education in the individualized judge's three-year cycle. Once the **overview course(s) is completed**, supervising judges will continue to comply with the 30 hours of continuing education in a three-year period.

The **source for identifying content and for developing and delivering courses** that qualify for continuing education credit will be through local, state, or national providers

that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Trial court supervising judges may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework and self-directed study are limited to a combined total of seven hours of credit in any three-year cycle.

Experienced supervising judges may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than 15 hours (half of the requirement in a three-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the individual supervising judge, who will keep records of participation/attendance for a period of three years past the date of the course and will sign a statement of compliance at the request of the presiding judge.

**Options/Examples for Completing Minimum Education Requirements
Supervising Judges**

Position	Hours/Courses Required	Course Suggestions
Supervising judge	30 hours in an individualized three-year cycle	
<p><i>New</i> supervising judge with <i>administrative</i> responsibility (before taking office)</p> <p><i>New</i> supervising judge with <i>calendar management</i> responsibility</p>	<p>Supervising Judges Overview Course</p> <p><i>Provider: Judicial Council</i></p> <p>Calendar Management Overview Course</p> <p><i>Provider: Multiple sources</i></p>	<p>Example 1 (total of 30 hours)</p> <ul style="list-style-type: none"> • Supervising Judges Overview course (12 hours) • Statewide Judicial Branch Conference (12 hours) • Qualifying Ethics (6 hours) <p>Example 2 (total of 30 hours)</p> <ul style="list-style-type: none"> • Supervising judges calendar management course (6 hours) • Courses at CJA Annual and Midyear Meetings (12 hours) • Qualifying Ethics (6 hours) • Self study (3 hours) • Four PJ/CEO Roundtable Broadcasts (4 @ .75 hour = 3 hours)
<i>Experienced</i> supervising judge	<i>Provider: Multiple Sources</i>	<p>Some Annual Course Options</p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ PJ/CEO Roundtable (4 per year) ○ Statewide Judicial Branch Conference (biannual) ○ Self study through CJER Online Resource Center ○ Qualifying Ethics ○ Institutes ○ CJSP • Management courses through ICM, NJC, AMA, or other national providers • Other AOC Division courses or special trainings (e.g., Collections) • Local court courses

		<p>Examples:</p> <p>Based on 30 hours/three-year cycle</p> <p>Example 1 (total of 30 hours)</p> <ul style="list-style-type: none"> • Four PJ/CEO Roundtable Broadcasts (4 @ .75 hour = 3 hours) • One two-day management course through NJC (12 hours) • Qualifying Ethics (6 hours) • AOC special training (6 hours) • Self-directed study (3 hours) <p>Example 2 (total of 31.5 hours)</p> <ul style="list-style-type: none"> • Statewide Judicial Branch Conference (12 hours) • First-time faculty for a 3.5-hour course at CJA Annual Meeting (10.5 hours) • Qualifying Ethics (6 hours) • Self-directed study (3 hours) <p>Example 3 (total of 36 hours)</p> <ul style="list-style-type: none"> • Rural Courts Institute (14 hours) • Daylong special training (<i>e.g.</i>, Collections) (6 hours) • Qualifying Ethics (6 hours) • Returning faculty for an all-day course at CJSP (10 hours) <p>Example 4 (total of 30 hours)</p> <ul style="list-style-type: none"> • Four PJ/CEO Roundtable Broadcasts (4 @ .75 hour = 3 hours) • Daylong course through local court (6 hours) • Statewide Judicial Branch Conference (12 hours) • CJER Online Resource Center course (3 hours) • Qualifying Ethics (6 hours)
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MINIMUM EDUCATION REQUIREMENTS

Trial Court Presiding Judges (and Assistant PJs at the discretion of the local court):

Before becoming a presiding judge, trial court judges will have an individualized three-year cycle of continuing education established after completing the minimum education requirements for new judges. Upon becoming a presiding judge, the cycle will continue and will include the required courses for assuming the role of a presiding judge.

The **education requirement** for *new presiding judges* will be completion of the Presiding Judges and Court Executive Officers Orientation, preferably prior to assuming the presiding judge role.

The **source for identifying content and for developing and delivering** the orientation course and **for tracking participation/attendance** for *new* presiding judges will be the responsibility of the Judicial Council through the Education Division/CJER and the Presiding Judges and Court Executive Officers Education Committee.

The orientation course will be applied toward the 30 hours continuing education in the individualized judge's three-year cycle. Once the **orientation course is complete**, presiding judges will continue to comply with the 30 hours of continuing education in a three-year period.

The **source for identifying content and for developing and delivering** courses that qualify for continuing education credit will be through local, state, or national providers that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Presiding judges may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework and self-directed study are limited to a combined total of seven hours of credit in any three-year cycle.

Experienced presiding judges may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than 15 hours (half of the requirement in a three-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the individual presiding judge, who will maintain records of participation/attendance for a period of three years past the date of a course.

**Options/Examples for Completing Minimum Education Requirements
Presiding Judges**

Position	Hours/Courses Required	Course Suggestions
Presiding judge (and assistant presiding judge at the discretion of the local court)	30 hours in an individualized three-year cycle	
<i>New</i> presiding judge (or assistant presiding judge before taking office as presiding judge)	Presiding Judges and Court Executive Officers Orientation <i>Provider: Judicial Council</i>	<p>Example 1 (total of 36 hours)</p> <ul style="list-style-type: none"> • Presiding Judges and Court Executive Officers Orientation (18 hours) • Statewide Judicial Branch Conference (12 hours) • Qualifying Ethics (6 hours) <p>Example 2 (total of 33 hours)</p> <ul style="list-style-type: none"> • Presiding Judges and Court Executive Officers Orientation (18 hours) • Daylong local court course (6 hours) • Qualifying Ethics (6 hours) • Self-directed study (3 hours)
Presiding judge (and assistant presiding judge at the discretion of the local court)	<i>Provider: Multiple Sources</i>	<p>Some Annual Course Options</p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ PJ/CEO Roundtable (4 broadcasts) ○ Statewide Judicial Branch Conference (biannual) ○ Online Courses ○ Qualifying Ethics ○ Institutes ○ CJSP ○ Today's Law Broadcasts ○ Inside Justice Broadcasts • Management courses <ul style="list-style-type: none"> ○ Institute for Court Mgt ○ National Judicial College ○ American Mgt Association ○ University courses ○ Other state/national courses • Other AOC Division courses or special trainings (e.g. Collections) • California Judges Association courses • Local court courses

		<p>Examples:</p> <p><i>Based on 30 hours/three-year cycle</i></p> <p>Example 1 (total of 30 hours)</p> <ul style="list-style-type: none"> • Statewide Judicial Branch Conference (12 hours) • Two-day management course through NJC (12 hours) • Qualifying Ethics (6 hours) <p>Example 2 (total of 31.5 hours)</p> <ul style="list-style-type: none"> • Statewide Judicial Branch Conference (12 hours) • Four PJ/CEO Roundtable Broadcasts (4 @ .75 = 3 hours) • Qualifying Ethics (6 hours) • First-time faculty for a 3.5-hour course at CJSP (10.5 hours) <p>Example 3 (total of 30 hours)</p> <ul style="list-style-type: none"> • One two-day management course through ICM (12 hours) • Daylong special training (<i>e.g.</i>, AOC Collections) (6 hours) • Qualifying Ethics (6 hours) • CJER online course (6 hours) <p>Example 4 (total of 31 hours)</p> <ul style="list-style-type: none"> • Four PJ/CEO Roundtable Broadcasts (4 @ .75 = 3 hours) • Qualifying Ethics (6 hours) • Statewide Judicial Branch Conference (12 hours) • Returning faculty for all-day course at a CJER Institute (10 hours) <p>Example 5 (total of 30 hours)</p> <ul style="list-style-type: none"> • Rural Courts Institute (14 hours) • Qualifying Ethics (6 hours) • Four PJ/CEO Roundtable Broadcasts (4 @ .75 = 3 hours) • CJER online course (7 hours)
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MINIMUM EDUCATION REQUIREMENTS

Trial Court Executive Officers (and assistant CEOs at the discretion of the local court):

The **requirement** for *new court executive officers* will be the Presiding Judges and Court Executive Officers Orientation. During the first year as court executive officer, the orientation is the only requirement. Court executive officers are encouraged to take additional courses during their first year if possible. In addition, court executive officers are encouraged to attend the orientation any time a new presiding judge from their court is attending.

The **source for identifying content and for developing and delivering courses and for tracking participation/attendance** for *new court executive officers* will be the responsibility of the Judicial Council through the Education Division/CJER and the Presiding Judges and Court Executive Officers Education Committee.

Once the initial **requirements are complete (Presiding Judges and Court Executive Officers Orientation)**, January 1 of the following year will initiate an individualized three-year cycle of continuing education for the court executive officer.

Minimum continuing education for *experienced court executive officers* will be based on time: 30 hours of continuing education in an individualized three-year cycle.

The **source for identifying content and for developing and delivering courses** that qualify for continuing education credit will be through local, state, or national providers that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Experienced trial court executive officers may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework and self-directed study are limited to a combined total of seven hours of credit in any three-year cycle.

Experienced trial court executive officers may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than 15 hours (half of the requirement in a three-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the individual court executive officer, who will keep records of participation/attendance for a period of three years past the date of a course and will sign a statement of compliance at the request of the presiding judge.

**Options/Examples for Completing Minimum Education Requirements
Court Executive Officer**

Position	Hours/Courses Required	Course Suggestions
<i>New</i> court executive officer (and assistant or deputy executive officers at the discretion of the local court)	<p>Within the first year: Presiding Judges and Court Executive Officers Orientation</p> <p>Provider: Judicial Council</p>	
<i>Experienced</i> court executive officer (and assistant or deputy executive officers at the discretion of the local court)	<p>30 hours in an individualized three-year cycle</p> <p><i>Provider: Multiple Sources</i></p>	<p>Some Annual Course Options</p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ PJ/CEO Roundtable (4 broadcasts) ○ Broadcasts on management issues ○ Statewide Judicial Branch Conference (biannual) ○ Self-study through CJER Online Resource Center ○ Conflict of Interest course • Management courses through <ul style="list-style-type: none"> ○ Institute for Court Mgt ○ National Judicial College ○ American Mgt Association ○ University courses ○ National Association for Court Management ○ Other state and national providers • Other AOC Division courses or special trainings (<i>e.g.</i>, Collections) • Local court courses <p>Examples:</p> <p>Based on 30 hours/three-year cycle</p> <p>Example 1 (total of 30 hours)</p> <ul style="list-style-type: none"> • Four PJ/CEO Roundtable Broadcasts (4 @ .75 hour =3 hours) • Statewide Judicial Branch Conference (12 hours) • Conflict of Interest online course (3 hours) • Two-day course on management through ICM (12 hours)

		<p>Example 2 (total of 30 hours)</p> <ul style="list-style-type: none"> • Statewide Judicial Branch Conference (12 hours) • First-time faculty for a four-hour course at the Statewide Judicial Branch Conference (12 hours) • Conflict of Interest course (3 hours) • Self-directed study (3 hours) <p>Example 3 (total of 30 hours)</p> <ul style="list-style-type: none"> • Conflict of Interest course (3 hours) • Statewide Judicial Branch Conference (12 hours) • One two-day management course through ICM (12 hours) • Two broadcasts @ 90 minutes each on management issues (3 hours) <p>Example 4 (total of 33 hours)</p> <ul style="list-style-type: none"> • CJER Presiding Judges Orientation and Court Executive Officers Orientation <i>with new presiding judge</i> (18 hours) • Statewide Judicial Branch Conference (12 hours) • Conflict of Interest online course (3 hours) <p>Example 5 (total of 31 hours)</p> <ul style="list-style-type: none"> • Statewide Judicial Branch Conference (12 hours) • Conflict of Interest online course (3 hours) • Two breakout sessions at a NACM conference (6 hours) • Returning faculty for an all-day course at CCA (10 hours)
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MINIMUM EDUCATION REQUIREMENTS

Trial Court Managers and Supervisors:

The **requirement** for *new court managers/supervisors* will be a series of orientation courses, specifically designed for managers/supervisors, taken within the first year in the assignment. Orientation courses will include orientation to the judicial branch of California, orientation to the local court, and orientation to basic management/supervision issues (*e.g.*, sexual harassment, performance management, safety, etc.) New managers/supervisors who have served as court personnel and previously received an orientation to the judicial branch and to the local court are exempt from those components, but will participate in the orientation components that deal with management/supervision issues.

Minimum continuing education for *experienced court managers and supervisors* (after their initial orientation courses) will be based on time: 12 hours of continuing education in a defined two-year cycle. Managers/supervisors entering mid-cycle will complete a prorated number of hours depending on the amount of time left in the cycle.

The **source for identifying content and for developing and delivering courses** that qualify for orientation and for continuing education credit will be through local, state, or national providers that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Experienced trial court managers and supervisors may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework is limited to a combined total of four hours of credit in any two-year cycle. Self-directed study, while encouraged for professional development, will not be credited.

Experienced trial court managers and supervisors may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than six hours (half of the requirement in a two-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the local court executive officer. Managers/supervisors will maintain records of participation/attendance for a period two years past the date of a course.

**Options/Examples for Completing Minimum Education Requirements
Managers and Supervisors**

Position	Hours/Courses Required	Course Suggestions
<i>New</i> managers or supervisors	<p>Within the first year:</p> <ul style="list-style-type: none"> • Basic supervision course covering role of the supervisor, performance management, labor relations • Legal compliance training for supervisors, including IDM, Safety, FMLA, Preventing Sexual Harassment, ADA, Preventing Discrimination <p><i>If new to the court:</i></p> <ul style="list-style-type: none"> • Orientation to the judicial branch of California • Orientation to the local court • Handling a diverse workforce <p><i>Provider: Judicial Council and/or Local Court</i></p>	
<i>Experienced</i> managers or supervisors	<p>12 hours in a defined two-year cycle</p> <p><i>Provider: Multiple Sources</i></p>	<p>Some Annual Course Options</p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ Regional Supervisory Series ○ Management Broadcasts ○ Core 40 Regional Training • Local court courses • University courses • National provider courses <ul style="list-style-type: none"> ○ Institute for Court Mgt ○ National Association for Court Management • State association courses (CCA) • Other AOC Division courses or special trainings (e.g., Collections)

		<p>Examples:</p> <p>Based on 12 hours/two-year cycle</p> <p>Example 1 (total of 13.5 hours)</p> <ul style="list-style-type: none"> • Daylong CJER regional training session (6 hours) • Two supervisory broadcasts @ 1.5 hours each (3 hours) • First-time faculty for a 1.5-hour course at local court (4.5 hours) <p>Example 2 (total of 12 hours)</p> <ul style="list-style-type: none"> • Two days of courses at the California Courts Association Conference (12 hours) <p>Example 3 (total of 12 hours)</p> <ul style="list-style-type: none"> • NACM Conference (12 hours) <p>Example 4 (total of 12 hours)</p> <ul style="list-style-type: none"> • One CJER regional one-day elective course (6 hours) • Returning faculty for three-hour course at CCA (6 hours)
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MINIMUM EDUCATION REQUIREMENTS

Trial Court Personnel:

The **requirement** for *new court personnel* will be an orientation course(s) taken within the first year of the assignment. Orientation will include orientation to the judicial system of California, orientation to the local court, orientation to basic employee issues (sexual harassment issues, safety, customer service, etc.), and orientation to the specific job.

The **minimum continuing education** for *experienced court personnel* (after the initial orientation courses) will be based on time: eight hours of continuing education in a defined two-year cycle. Employees entering midcycle will complete a prorated number of hours depending on the amount of time left in the cycle.

The **source for identifying content and for developing and delivering courses** that qualify for orientation and for continuing education credit will be through local, state, or national providers that meet the criteria outlined in the *Continuing Education Providers and Criteria* section of this document.

Experienced trial court personnel may earn continuing education credit through traditional (face-to-face) courses and through **distance education** delivery. Broadcasts and videoconferences are credited hour-for-hour of participation. Online coursework is limited to a combined total of three hours of credit in any two-year cycle. Self-directed study, while encouraged for professional development, will not be credited.

Experienced trial court personnel may earn continuing education **credit for serving as faculty** for California court-based audiences. Credit can be earned as follows: first-time course (three hours of continuing education credit for each hour of the presentation); subsequent courses (two hours of credit for each hour of the presentation). No more than four hours (half of the requirement in a two-year cycle) can be earned by serving as faculty.

Tracking participation (and faculty service) will be the responsibility of the local court through managers/supervisors. Court personnel will maintain records of participation/attendance for a period of two years past the date of a course.

NOTE: Trial court research attorneys are subject to the continuing education requirements of the State Bar of California, and credit earned through MCLE is applicable to the judicial branch requirement.

NOTE: Trial court reporters and interpreters have specific educational components in place regarding certification and/or continuing education. These courses will apply toward their eight-hour requirement in each two-year period.

**Options/Examples for Completing Minimum Education Requirements
Trial Court Personnel**

Position	Hours/Courses Required	Course Suggestions
<i>New</i> Court personnel	<p>Within the first year:</p> <ul style="list-style-type: none"> • Orientation to the judicial system; the local court; basic employment issues; the job <p><i>Provider: Judicial Council and/or local court</i></p>	
<i>Experienced</i> Court personnel	<p>8 hours in a defined two-year cycle</p> <p><i>Provider: Multiple Sources</i></p>	<p>Some Annual Course Options:</p> <ul style="list-style-type: none"> • CJER offerings: <ul style="list-style-type: none"> ○ Regional courses ○ Broadcasts ○ CCTI • Local court courses • Other AOC Division courses (<i>e.g.</i>, HR Fast-Track for HR professionals) • State association courses (<i>e.g.</i>, California Courts Association Conference) • Academic institution courses <p>Examples:</p> <p>Based on 8 hours/two-year cycle</p> <p>Example 1 (total of 8 hours)</p> <ul style="list-style-type: none"> • One CJER broadcast (1 hour) • Half-day local court course (3 hours) • Returning faculty for two-hour regional course (4 hours) <p>Example 2 (total of 8 hours)</p> <ul style="list-style-type: none"> • Day-and-a-half course at California Courts Association Conference (8 hours) <p>Example 3 (total of 9 hours)</p> <ul style="list-style-type: none"> • CJER regional course (6 hours) • Half-day local court course (3 hours)

Minimum Education Requirements for the California Judicial Branch

Questions Raised and Suggestions Made in the Feedback Process and Answers/Responses from the CJER Governing Committee

The Governing Committee considers the questions and suggestions listed in this document to be relevant and representative of information gathered in the recent survey feedback process. Questions and suggestions are in no particular order, although they are divided by target audience: judges, managers/supervisors, and court personnel. In general, questions and suggestions selected were raised by more than one individual. Since the choice of words differed from respondent to respondent, questions and suggestions are not repeated verbatim, but are in a summarized form. Similar questions and suggestions have been compiled into one or listed together for ease of reference.

The CJER Governing Committee has been engaged in an on-going information gathering process for the past two years. The information provided in this document is based on current thinking and is subject to change as further investigation and refinement of issues continue.

Questions and suggestions are in three sections, each representing a respondent group:

- Judges (presiding judges, supervising, judges, commissioners and referees)
- Managers/supervisors
- Court personnel

Questions are included in the first few pages of each section. Q is the question; A is the answer. Suggestions are in the last pages of each section. S is the suggestion; R is the response.

As noted in the original survey language, the minimum education requirement example used for the survey is in conceptual form. More work will be done to define terms, clarify information, and provide necessary detail in the next phase of work.

The Governing Committee considered two overarching goals in crafting the example. First and foremost, regarding continuing education, to preserve the ability of the individual judge and local court (through the office of the Presiding Judge) to determine the content and means by which an individual judge participates in ongoing judicial education

Second, to establish broad educational parameters for judges who are either newly appointed to the bench or who are experienced judges but who are new to a role or an assignment. These parameters are to ensure that a new judge or experienced judge new to an assignment will be provided the necessary tools and skill sets to assure their success in their new role.

These two overarching goals are complementary in that they balance minimum entry level education standards for judges new to their role with the best aspects of local and individual control for a judge's specific, ongoing educational needs.

Presiding Judges, Supervising Judges, Judges, Commissioners and Referees

Questions:

Q: Will coverage be provided/funded for judges attending education programs if there is an increase in educational requirements?

A: The Governing Committee has no authority regarding coverage or funding. Distance education (broadcast and online), local court courses and courses offered by other local providers, as well as self-directed learning opportunities are intended to reduce the time away from court and the expense of travel.

The 2003 survey of the branch revealed that, of the 324 judicial respondents, judges were obtaining an average of approximately 26 hours of education every year. The conceptual model proposes only 30 hours in three years (if taken on the average, 10 hours per year) considerably less than the survey results indicated.

In addition, an analysis of participation in CJER courses (just one of many providers) showed that the current number of hours judges attend totals enough for every judge in California to be able to earn 45 hours in a three-year cycle.

Q: How can travel be minimized and time away from court be managed if there is an increase in educational requirements?

A: An experienced judge may earn all required credits through broadcasts, online courses, local courses, and self-directed learning, all of which would minimize the expense and time away from court. (See response to the first question in this section for additional information.)

Q: How can we be sure local court training sessions count for continuing education credit?

A: Local courts are listed as approved providers for continuing education courses.

Q: How can we be sure the requirement is clearly a minimum and assure that it does not become a constraint?

A: Members of the CJER Governing Committee have discussed this issue in detail and will craft wording to clarify that “minimum” education requirements are a baseline and are not intended to prohibit or constrain additional continuing education.

Q: Why are many education providers (such as all MCLE providers, Inns of Court, CFLR, NBA, etc.) not listed as pre-approved providers?

A: The list of approved providers is illustrative only. Members of the Governing Committee will expand the list during this next phase of work. However, a published list cannot include all continuing education provider options. Local courts can approve courses from providers that are not on this list based on criteria included in the model. *[Criteria - Required: (1) Subject matter/topic is relevant to the work of the courts or the branch; (2) Education is at least one hour in length; (3)*

Anticipated learning outcomes (how new knowledge, skills or abilities will be applied or demonstrated/used) are identified prior to the educational work -- And meets at least three of the following: (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter); (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts); (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience; (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding; (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work.]

Q: If the Governing Committee makes a recommendation to the Judicial Council to enhance minimum education requirements for judges, what authority does the Judicial Council have to impose such a requirement?

A: The Judicial Council has the authority to require education for judges under Article VI, section 6(d) of the California Constitution, which addresses the Council's authority and provides in part that to improve the administration of justice, the Council has the authority to adopt rules for court administration, practice and procedure that are not inconsistent with statute. Requiring judicial education by rule is part of a broader administrative function—a function that would improve the administration of justice.

Q: What are the consequences for non-compliance? Who has responsibility for any disciplinary measures?

A: The Governing Committee will not make any recommendations regarding compliance because the matter of enforcement is beyond the scope of our responsibility.

Q: Why are assigned judges not included?

A: The Chief Justice has set education requirements for assigned judges. During the next phase of work, the Governing Committee will consider how to meet the minimum education needs and requirements of assigned judges.

Q: Why have requirements at all? What is the problem or need that underlies this proposal?

A: The following three quotations are from the many comments received from survey respondents who support minimum education requirements. These comments provide some answers to this question:

- The skyrocketing complexity of the law, not to mention the wide range of practical and ethical problems inherent in being a judge, more than justify it.
- It sends the right message to the legislature, the public and members of the judiciary.
- I do not understand the debate. The court should lead and establish minimum requirements. The litigants expect and deserve no less.

Q: Why are appellate justices not included?

A: The work and therefore the educational needs of appellate justices are different from those of trial court judges. The Governing Committee felt it was best to address education requirements for the trial courts at this time.

Q: Will there be provisions for exceptions or waivers?

A: Guidelines for granting exceptions/waivers will be discussed during the next phase of work.

Q: Will the credit for serving as faculty apply to 1) faculty training and train-the-trainer courses, or 2) service as a seminar leader?

A: Yes, up to the maximum allowed for faculty service.

Suggestions:

S: Leave education as the responsibility of the individual judge or as required by the presiding judges; do not mandate at the state level.

R: Judges who are new to the bench, new supervising judges, and new presiding judges are the only groups in the current minimum education model having specific content and provider requirements. Experienced judges who are new to an assignment have a content requirement, but the provider and the duration of the course are at the discretion of the local court. Other than the new judges, the time earned in education for the content requirements can be counted against the on-going continuing education hourly requirement.

For any other judge, the continuing education requirement is time-based and all decisions about content and provider are at the discretion of the individual judge and the respective presiding judge.

S: Judicial education, if mandatory, should be controlled collectively (by some democratic system) by judges alone (not the AOC or the Judicial Council).

R: The current minimum education requirement model leaves decisions about content for continuing education and tracking of participation at the local court level, in the hands of the individual judge and presiding judge.

S: Allow education credit for:

- **Regional meetings for presiding judges and court executive officers**

R: The Governing Committee established criteria for use in determining whether credit should be granted for a variety of courses, events, and projects. If a particular regional meeting (or portion of a regional meeting) satisfies the criteria, credit may be granted. *[Criteria - Required: (1) Subject matter/topic is relevant to the work of the courts or the branch; (2) Education is at least one hour in length; (3) Anticipated learning outcomes (how new knowledge, skills or abilities will be applied or demonstrated/used) are identified prior to the educational work -- And meets at least three of the*

following: (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter); (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts); (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience; (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding; (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work.]

- **Making presentations to community groups**
- **Teaching at law schools**

R: The Governing Committee discussed the issues surrounding faculty credit and determined that only teaching for a California judicial branch audience would qualify. A contributing factor to this decision was a desire to encourage faculty service for the branch.

- **Publishing legal articles**

R: If publishing a legal article meets the criteria of a self-directed learning opportunity (clarification and criteria will be created in the next phase of work), and meets the criteria developed for granting credit (see the response to the first bullet in this section), credit may be obtained within the established limits, not to exceed seven hours (the seven hours is a combined total of self-directed learning and online coursework) in a three-year cycle.

- **Briefing cases from advance sheets/creating memos to fellow judges regarding current legal issues**

R: The Governing Committee considers these activities as part of a judge's normal work, not continuing education. If briefing cases from advance sheets or creating memos to fellow judges regarding current legal issues meets the criteria as a self-directed learning opportunity (clarification and criteria will be created in the next phase of work), and meets the criteria developed for granting credit (as outlined in the current minimum education requirement model), credit may be obtained within the established limits, not to exceed seven hours (the seven hours is a combined total of self-directed learning and online coursework) in a three-year cycle.

- **Serving on Judicial Council Advisory Committees**

R: The Governing Committee established criteria for use in determining whether credit should be granted for a variety of courses, events, and projects. If an advisory committee meeting (or portion of an advisory committee meeting) satisfies the criteria (see response to the first bullet in this section), credit may be granted.

- **Presiding Judge/Court Executive Officer Issues Meetings**

R: The Governing Committee established criteria for use in determining whether credit should be granted for a variety of courses, events, and projects. If a Presiding Judge/Court Executive Officer Issues Meeting (or portion of an issues meeting) satisfies the criteria (see response to the first bullet in this section), credit may be granted.

S: Reduce/increase the number of hours (e.g. to 15 hours in three years or to 30 hours per year)

R: The Governing Committee carefully considered the number of hours to be recommended for minimum continuing education credit. While a few judges suggested a reduction in the 30 hours in three years model, many suggested an increase the number of hours.

S: Implement the model in the simpler groups first (e. g. managers/supervisors)

R: The Governing Committee discussed this in a variety of contexts. While incrementally implementing minimum education requirements was considered, members of the Governing Committee determined that full implementation for the trial courts was the most effective approach.

S: Provide incentives/rewards/recognition

R: This remains a goal and will be explored further. The Governing Committee will seek feedback from the branch regarding options to consider.

S: Have CJER provide qualitative oversight of local courses

R: The Governing Committee feels that local involvement of continuing education is important to the successful implementation of minimum education requirements. However, CJER will make available the curriculum work developed by education committees for numerous target audiences so local courts may use the content. In addition, CJER will increase faculty development opportunities so local courts can refer potential faculty for participation. Finally, the minimum education requirement model includes criteria for use in determining whether credit should be granted for a variety of courses, events, and projects so that local courts would have some standards to apply that assure high quality. *[Criteria - Required: (1) Subject matter/topic is relevant to the work of the courts or the branch; (2) Education is at least one hour in length; (3) Anticipated learning outcomes (how new knowledge, skills or abilities will be applied or demonstrated/used) are identified prior to the educational work -- And meets at least three of the following: (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter); (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts); (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience; (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding; (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work.]*

S: Increase the credits for serving as faculty (such as to 4 for 1 credit; up to 24 hours in three years)

R: Governing Committee members have discussed the pros and cons of increasing credit earned and allowable for faculty service. Credit will be granted at three-for-one credit for an initial course and two-for-one credit for subsequent courses.

S: Increase the amount of credits that can be satisfied through online coursework and self-directed study.

R: Governing Committee members have discussed the pros and cons of increasing credit earned and allowable for online coursework and self-directed study, and the current limit seems appropriate. One factor contributing to this decision is that traditional (face-to-face) education events offer opportunities for networking and interacting with faculty and colleagues from around the state.

S: Define distance education, self-paced learning, and self-directed learning.

R: Distance education is defined as separation of faculty from participant by time and/or geography. A broadcast separates faculty and participant by geography. An online course generally separates them by time as well.

Self-paced learning is a form of distance education in which the participant determines the amount of time he/she engages in completing their learning. An online course would be self-paced; one participant may complete the course in one hour, while another might need two hours. A broadcast would not be self-paced since it has a defined time frame.

Self-directed learning does not involve faculty at all; instead a participant designs and implements his/her own learning activities.

S: Consider altering the requirement for judges who have been in an assignment for an extended period and have received training in that area.

S: Add enrichment learning for credit.

S: Add “refreshing judicial skills” for judges on the bench more than 10 years.

R: In the current model, the minimum education requirement for continuing education for judges is 30 hours in a three year cycle. Within that, judges are free to choose educational topics. The Governing Committee will ask CJER Education Committees to consider adding the areas noted above to their offerings.

S: Add requirements for

- **Domestic violence**
- **Ethics**
- **Diversity**
- **Dealing with self-represented litigants**
- **Making presentations to the public and the media**
- **Annual disciplinary issues**
- **The third branch of government**
- **Drug Court (and other treatment courts)**

R: Numerous areas of content were suggested in the feedback process. However, the preferred course of action is to leave as much as possible to individual judges and local court discretion. Judges may take courses on these topics as part of their 30 hours of continuing education.

S: Have each court develop a local orientation program for new judges.

R: At this time members of the Governing Committee do not feel this can be required of local courts for a variety of reasons, including the difference in resources (fiscal and human) from court to court.

S: Have CJER offer content in more than one way (live, online, broadcast).

R: CJER education committees plan to offer certain content in a multitude of ways.

S: For new judges, let the College be sufficient without the current overview requirement.

R: The College is an excellent transition program in that it offers general judicial skills education and training and some specific assignment-based classes. However, it does not offer the specific detail and unique educational tools needed for a specific assignment, such as dependency or probate. The overview courses are specifically designed to prepare the judge to assume that assignment.

S: Consider something other than an “overview” course for experienced judges changing assignment; they may have had past experience in the area.

R: While the current model indicates that the overview course is only required if the judge has been out of the assignment two years or more, the Governing Committee will continue to examine how to meet the educational needs of judges who may have had an assignment previously.

S: Modify standards or rules to allow judges to be absent a minimum of eight days per year for education, unless it would create a hardship on the court or the public.

R: The model presented by the Governing Committee recommends a “minimum” of 30 hours of education in a three-year cycle. The Governing Committee has discussed the possibility of emphasizing that the “minimum” requirements (30 hours in a three-year cycle) should not replace the “desirable” level of education currently outlined in the Standards of Judicial Administration (8 days per year).

One of the major thrusts of the proposed enhancements to judicial education is an emphasis on alternate deliveries. Local courses, distance education, online courses, and self-directed study are included in the model in an attempt to reduce the number of days judges would need to spend away from the court.

Regarding Court Personnel Training Requirements

S: Leave decisions about continuing education and professional development of court personnel at the local level; eliminate them from the model.

R: For court personnel new to the court and for new managers and supervisors, the current model requires specific content that can be obtained in part or totally at the local level. The Governing Committee determined that these individuals would benefit from specific content.

Beyond these specific requirements, the current model only requires a minimum number of hours. The content in those hours can be obtained through diverse methods and a variety of providers. Decisions regarding content for continuing education are left to the discretion of the individual and the manager/supervisor and Court Executive Officer. The hourly requirement is to establish a branchwide expectation that all court personnel will participate in professional development.

S: Allow more credit for court personnel through distance education.

R: Court personnel can use live broadcasts and/or videoconference courses to fulfill all of their education requirements. The only distance education that has limited credit is online coursework (the limitation is three hours in a two-year cycle). While online courses will provide a valuable resource for educational content, Governing Committee members believe that networking with others and live interaction with faculty and other court personnel is an important component of continuing education. The current model assures that court personnel will have the opportunity to participate in traditional (face-to-face) education for five hours of their two-year requirement.

Managers and Supervisors

Questions:

Q: What is the definition of “content relevant to the work of the court”? [It is listed as essential criteria for granting credit.]

A: The intent of the term is to assure that continuing education to meet minimum education requirements either: a) helps an individual perform his/her work more effectively and/or efficiently; or b) prepares him/her for a different assignment in the court system.

Q: Will we be credited for training completed in the past?

A: Requirements for new personnel: Minimum education requirements for individuals who are new to the courts or “new” to an assignment are based on content; if a local court supervisor, manager, or court executive officer determines that the specific required content for a subordinate who is “new” has already been obtained, that individual may be considered “experienced” in the area and thus move to an hourly requirement (e.g. A new court manager may have previous management experience or may have taken coursework in management, thus orientation to management/supervision would not be necessary. A new employee in a court may have worked in another court, thus orientation to the judicial branch would not be necessary. These decisions are left to the Court Executive Officer or appropriate manager or supervisor).

Continuing education requirements: Continuing education is based on time and is intended to assure that education is earned on an on-going basis. Education taken prior to a cycle would not be given credit.

Q: Would courts that have a training program be exempt from the requirements?

A: The minimum education requirement is for individuals, not the court itself. Individuals in a court with a local court training program have an advantage in that they can earn all of their requirements locally.

Q: Will the education requirements be implemented in a pilot program?

A: While implementing minimum education requirements in a pilot program might be easier to manage and possibly have a minimized impact on the courts, members of the Governing Committee feel that full implementation is the most effective approach.

Q: Will the court be responsible for costs associated with training requirements?

A: The expectation is that the courts will allow court personnel the work time to participate in education. If the supervisor, manager or Court Executive Officer (whoever is designated as the approval source in the court) approves a course, an event, and/or specific content for an individual, the expectation is that the court would pay associated travel/registration costs. For hourly employees, the court would also need to pay the employee for any time spent participating in the required education and necessary travel to and from an off-site location. If this qualified the individual for overtime pay, compensation would have to be at the appropriate overtime rate for that individual. However, an individual can earn all required education credits with very limited cost through local court courses, approved courses offered by other local providers, CJER broadcasts, and online courses. The cost to the court would primarily be the time needed for employees to participate.

Q: What about incentives for compliance?

A: This is still a goal and will be considered by members the Governing Committee as a possible suggestion. The Governing Committee will seek branch input on options.

Q: How will faculty be chosen to assure high quality (e.g. will there be a higher authority approval for faculty)?

A: The provider will choose faculty (e.g. a local court will choose faculty for a course sponsored by the court). However, the criteria suggested by the Governing Committee include information on the critical need for faculty expertise in the content area.

Q: What is the deficiency that the training will solve?

A: The motivation for this effort is not correcting deficiencies. Ongoing professional development necessarily includes relevant education and training as a component of best practices, regardless of the profession. Enhancing our current educational requirements is merely a mechanism to facilitate that goal. In Tenant Nine of the Code of Ethics for Court Employees, employees commit to “improve personal work skills and performance through continuing professional education and development.”

Q: Are online courses considered self-directed learning?

A: No. Online courses are a type of distance education. Distance education is defined as separation of faculty from participant by time and/or geography. A broadcast separates faculty and participant by geography. An online course generally separates them by time as well.

Self-paced learning is a form of distance education in which the participant determines the amount of time he/she engages in completing their learning. An online course would be self-

paced distance education; one participant may complete the course in one hour, while another might need two hours. A broadcast would not be self-paced since it has a defined time frame. Self-directed learning does not involve faculty at all; instead a participant designs and implements his/her own learning experience.

Suggestions:

S: Increase the requirement (e.g. 12 hours per year or more)

R: Members of the Governing Committee have received and considered information on the number of hours to be required. Currently, in consultation with Court Executive Officers, members feel that 12 hours in a two-year cycle is a sufficient “minimum” requirement.

S: Require additional content for new supervisors and managers (e.g. interaction issues, dealing with performance issues, legislative issues, ethics, diversity, and more)

S: Define what should be included in the managers and supervisors training.

R: Members of the Governing Committee, in collaboration with members of appropriate Education Committees, will consider suggestions regarding the specific content requirement for new supervisors and managers. The model used to gather feedback in the recent survey process was not intended to include the detail that will be addressed in the next phase of our work.

S: Address requirements for specific jobs (e.g. human resources, finance, information services, mediators, and more)

R: Regarding continuing education (once court personnel have had orientation appropriate for their position), members of the Governing Committee believe that specific content should be left to the discretion of the local court, through its supervisors, managers, and Court Executive Officer. However, as CJER staff and Education Committees apply curriculum-based planning processes to specific jobs/positions in the courts, additional courses will be offered for people in those positions. Some court personnel, such as family court mediators, evaluators, and investigators, have existing, specific education requirements. The Governing Committee does not intend that these general requirements would be in addition to those specific requirements. Credit from these existing requirements could be applied toward meeting the continuing education requirements.

S: Require orientation sooner than “in the first year” (e.g. within the first six months)

R: Members of the Governing Committee will continue to examine the time frames for the different areas of orientation identified in the model.

S: Add more providers to the approved provider list.

R: The list of approved providers used in the model for minimum education requirements is illustrative only. Additional providers will probably be listed, but it would not be possible to list all providers that could offer content to satisfy requirements. Local courts may approve courses from providers that do not appear on the list, based on the criteria included in the model.

S: Include more distance education options.

R: The minimum education requirement model does not limit the number of hours that can be earned through broadcasts and videoconference courses. Online courses are limited to four hours in a two-year cycle. CJER will increase the number of distance education opportunities and will include several new content areas.

S: Separate the educational requirements for managers and supervisors.

R: In content requirements for new managers and supervisors, some content would be relevant to both, while other content would be relevant to and appropriate for one or the other. The next phase of work will more clearly define content for new managers and new supervisors. Content for the continuing education requirement of 12 hours in a two-year cycle is left to the discretion of the individual and his/her direct supervisor.

Regarding Court Personnel Training Requirements

S: Increase the requirement (e.g. 8 hours per year)

R: Members of the Governing Committee have received and considered information on the number of hours to be required. Currently, in consultation with Court Executive Officers, members feel that 8 hours in a two-year cycle is sufficient as a “minimum” requirement.

S: Include additional content requirements for court personnel (e.g., dealing with the public, safety issues, teamwork, and more).

R: Information on basic employment issues is part of orientation for new court personnel. Certain content will be specified, including some of what is suggested. Regarding continuing education, members of the Governing Committee believe that specific content should be left to the discretion of the local court, through its supervisors, managers, and Court Executive Officer.

Court Personnel

Questions:

Q: Are court personnel on court time when participating in courses?

Q: Will distance education be during normal work hours?

A: The expectation is that courts will allow court personnel work time to comply with minimum education requirements. CJER offers many distance education opportunities that can be accessed during regular work hours.

Q: Who is responsible for assuring compliance?

A: While it is the individual employee's responsibility to comply, supervisors, managers, and court executive officers are responsible for tracking compliance by those whom they supervise.

Q: What is the consequence for non-compliance?

A: Court Executive Officers are responsible for determining consequences for non-compliance of court personnel in their respective courts, subject to any applicable provisions in the court's MOU, as applied to covered personnel.

Q: Who determines if a course or a provider qualifies (e.g. a university, a local court)?

A: The local court (through its supervisors, managers, and Court Executive Officer) determines if courses offered by providers not listed (as approved) qualify for continuing education credit. *[Criteria - Required: (1) Subject matter/topic is relevant to the work of the courts or the branch; (2) Education is at least one hour in length; (3) Anticipated learning outcomes (how new knowledge, skills or abilities will be applied or demonstrated/used) are identified prior to the educational work -- And meets at least three of the following: (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter); (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts); (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience; (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify understanding; (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work.]*

Q: Who determines what continuing education courses are appropriate for an individual?

A: The local court will determine what continuing education is appropriate.

Q: How can we participate in online courses if the court does not provide access?

A: Lack of access does present a limit to participation in online courses. During the next phase of work, the Governing Committee will examine barriers to participation regarding distance education opportunities, including online courses and broadcasts, and suggest approaches to enhance access.

Q: What is the reason to require continuing education (e.g. will it help us advance)?

A: Ongoing professional development necessarily includes relevant education and training as a component of best practices, regardless of the profession. Enhancing our current educational requirements is merely a mechanism to facilitate that goal. People stay current in their required skill sets, remain more effective in their positions, and retain a higher level of job satisfaction. In Tenant Nine of the Code of Ethics for Court Employees, employees commit to “improve personal work skills and performance through continuing professional education and development.”

Q: Will credit be given for previous coursework?

A: Requirements for new personnel: Minimum education requirements for individuals who are new to the courts or “new” to an assignment are based on content; if a local court supervisor, manager, or court executive officer determines that the specific required content for a subordinate who is “new” has already been obtained, that individual may be considered “experienced” in the area and thus move to an hourly requirement (e.g. A new employee in a court may have worked in another court, thus orientation to the judicial branch would not be necessary. These decisions are left to the Court Executive Officer or appropriate manager or supervisor).

Continuing education requirements: Continuing education is based on time and is intended to assure that education is earned on an on-going basis. Education taken prior to a cycle would not be given credit.

Q: Would credit be given for degrees or other “outside” education (e.g. community college work, university courses, consultant/vendor conferences)?

A: Courses offered by institutes of higher learning (universities and colleges) and other providers can be approved at the local court level based on the criteria in the minimum education requirement model. *[Criteria - Required: (1) Subject matter/topic is relevant to the work of the courts or the branch; (2) Education is at least one hour in length; (3) Anticipated learning outcomes (how new knowledge, skills or abilities will be applied or demonstrated/used) are identified prior to the educational work -- And meets at least three of the following: (4) Learning environment is educationally sound (such as limited distractions, physical location is conducive to learning the subject matter); (5) Participant receives or has access to all reference tools and other materials/resources (such as handouts) required for learning and for application of newly acquired content (such as job aids or scripts); (6) Participant has an opportunity to practice using/applying new information or skill (through direct experience, role play or case studies/hypothetical situations) as part of the learning experience; (7) Participant has the opportunity to interact with knowledgeable faculty or other experts in the topical area to pose questions or clarify*

understanding; (8) An assessment tool or activity (such as the development of an action plan to apply newly gained knowledge/skill) enables the participant to determine if the skills/ abilities and/or knowledge can be used in the future in their work.]

Q: Does content have to pertain to the current job/position?

A: The continuing education content for an individual will be determined by the local court. If deemed appropriate, cross training, training for a supervisor/manager position, or training that would enable an individual to assume another court-related position could be credited toward meeting minimum education requirements. [Recommended criteria (in the current minimum education requirement model) for approving a course or a provider includes: “Subject matter relevant to the work of the court.”]

Q: If a position already has education requirements, would the minimum continuing education requirements be in addition?

A: If the position-based education requirement related to the work done in the court, the time can be applied toward meeting minimum education requirements.

Q: Regarding continuing education, will new content be offered over time or do we take the same courses again in another cycle?

A: Some content, especially content that is already required as compliance training (addressing areas of risk to the court and the individual) will need to be taken again (e.g. ethics), although courses should be updated on an on-going basis. Other content will not need to be repeated. The members of the Governing Committee believe that, by having such a wide variety of potential providers, that the richness of their collective educational offerings will provide a large number of options for court personnel.

Q: How will education for court personnel who change assignment or change court be addressed:

A: Due to the large number of positions in the courts, and the variables from court to court, decisions regarding education content for court personnel who change assignments or change courts will be left at the local court level. An exception would be individuals becoming a new supervisor or manager; content will be defined for people entering those positions.

Q: Can credit be earned for education that is not coursework (e.g. one-to-one cross-training in the court)?

A: If the training meets the criteria stated in the minimum education requirement model, and if the Court Executive Officer approves, one-to-one training may be credited.

Q: What about attorneys working in the courts – how would minimum education requirements relate to MCLE?

A: Attorneys earning MCLE could apply those credits against the judicial branch minimum education requirements, so long as the content meets the criteria outlined in the example of minimum education requirements. *Current criteria includes: Subject matter relevant to the work of the court; Educational outcomes/expectations clearly stated; Expert faculty; Educationally sound environment for what is being taught/learned; Educational materials (handouts, job aids, scripts, etc.); Coursework of at least one uninterrupted hour in length. (The criteria will be reviewed/revised during the next phase of work.)*

Suggestions:

S: Require orientation sooner (e.g. on the first day or within the first three months).

R: Members of the Governing Committee will continue to examine the time frames for the different areas of orientation identified in the model.

S: Increase the continuing education requirement (e.g. 12 hours per year)

R: Members of the Governing Committee have received and considered information on the number of hours to be required. Currently, in consultation with Court Executive Officers, members feel that eight hours in a two-year cycle is a sufficient “minimum” requirement.

S: Base the requirement on content rather than time.

R: Minimum education requirements for court personnel who are new to the courts or who are new to supervision or management have content requirements. Members of the Governing Committee believe that continuing education should be based on time with content left to the discretion of the local court, though it supervisors, managers, and Court Executive Officer.

S: Specify content in the hourly requirements (e.g. customer service, access and fairness, ethics, sexual harassment, legal terminology, jurisdiction, ergonomics, and more)

R: Information on basic employment issues is part of orientation for new court personnel. Certain content will be specified, including some of what is suggested. Regarding continuing education, members of the Governing Committee believe that specific content should be left to the discretion of the local court, through it’s supervisors, managers, and Court Executive Officer.

S: Court personnel should be able to complete education requirements entirely from distance education (e.g. broadcast and online courses).

R: Although there is a limitation for online courses (three hours in the two-year cycle), the requirements can be met entirely through broadcasts or videoconference courses.

S: Education should be specific to the individual job/position.

R: Due to the large number of positions in the courts, and the variables from court to court, decisions regarding education content for court personnel in specific assignments will be left at the local court level. An exception would be individuals becoming a new supervisor or manager; content will be defined for people entering those positions. Another exception is that some court personnel, such as family court mediators, evaluators, and investigators, have existing, specific education requirements.

S: Each court needs an educator/training officer.

R: Working with Court Executive Officers, the CJER staff established a branchwide system of training coordinators, one in each county. While only a few of them serve the full function of training officer, these individuals are liaisons between the courts and the Education Division/CJER. Training coordinators participate in an annual conference, during which they network, share information and resources, and discuss ways in which to meet training needs in their respective courts. Current resource limitations prevent each court from having a training officer, but the training coordinators are of great value.